


FEBRUARY 16, 2010

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON FEBRUARY 16, 2010, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE SURFACE, DEVELOPMENT, FEE WAIVER, AND TRUST ACCOUNTING BUSINESS MATTERS AS INDICATED AND WHICH BECAME EFFECTIVE AT 6:00 P.M. ON FEBRUARY 16, 2010.

THESE MINUTES INCLUDE SURFACE ACTIONS AS LISTED ON PAGES 1 TO 12; DEVELOPMENT ACTIONS AS LISTED ON PAGES 13 TO 16; ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGES 17 TO 18; AND TRUST ACCOUNTING ACTIONS AS LISTED ON PAGE 19.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND MAY BE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON TUESDAY, MARCH 2, 2010. APPEALS NOT FILED BY THAT TIME WILL NOT BE ACCEPTED AND THE MATTERS WILL BE CONSIDERED UNAPPEALABLE.



KEVIN S. CARTER, DIRECTOR
SCHOOL AND INSTITUTIONAL
TRUST LANDS ADMINISTRATION



LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

SURFACE ACTIONS

GRAZING PERMITS

GRAZING PERMIT NO. 22892-D09 (ASSIGNMENT)

Reece E. Finlinson, P.O. Box 92, Oak City, UT 84649, has requested the Trust Lands Administration's permission to assign 100% interest in the above referenced grazing permit to Olan J. Finlinson, 2250 West 500 North, Delta, UT 84624. The assignment fee in the amount of \$30.00 has been submitted. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the assignment of GP 22892-D09.

RIGHTS OF ENTRY

RIGHT OF ENTRY NO. 5421

On February 11, 2010, Mr. Lou Brown, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of Tri State ATV Club, c/o Dale Grange, 224 South 1515 West, Hurricane, UT 84737, to occupy the following described trust lands located within Washington and Kane Counties for an ATV Jamboree:

T39S, R19W, SLB&M

Section 36: Within

T40S, R12W, SLB&M

Section 36: Within

T40S, R17W, SLB&M

Section 16: Within

T40S, R18W, SLB&M

Section 32: Within

T40S, R19W, SLB&M

Section 2: Within

Section 16: Within

T41S, R6W, SLB&M

Section 2: Within

Section 16: Within

T41S, R8W, SLB&M

Section 36: Within

RIGHT OF ENTRY NO. 5421 (CONTINUED)

T41S, R12W, SLB&M

Section 2: Within
Section 4: Within
Section 9: Within
Section 16: Within

T41S, R19W, SLB&M

Section 16: Within

T41S, R20W, SLB&M

Section 2: Within

T42S, R6W, SLB&M

Section 2: Within
Section 36: Within

T42S, R7W, SLB&M

Section 16: Within
Section 32: Within

T42S, R8W, SLB&M

Section 16: Within
Section 32: Within

T42S, R12W, SLB&M

Section 2: Within
Section 16: Within
Section 32: Within

T42S, R13W, SLB&M

Section 2: Within
Section 36: Within

T42S, R14W, SLB&M

Section 32: Within
Section 36: Within

T42S, R17W, SLB&M

Section 32: Within
Section 36: Within

T42S, R18W, SLB&M

Section 16: Within
Section 32: Within

T42S, R19W, SLB&M

Section 16: Within
Section 36: Within

RIGHT OF ENTRY NO. 5421 (CONTINUED)

T42S, R20W, SLB&M
Section 36: Within

T43S, R6W, SLB&M
Section 2: Within
Section 16: Within

T43S, R7W, SLB&M
Section 16: Within

T43S, R8W, SLB&M
Section 2: Within
Section 36: Within

T43S, R12W, SLB&M
Section 2: Within
Section 16: Within

T43S, R13W, SLB&M
Section 2: Within
Section 16: Within
Section 32: Within

T43S, R14W, SLB&M
Section 16: Within

T43S, R16W, SLB&M
Section 10: Within
Section 15: Within
Section 16: Within

T43S, R17W, SLB&M
Section 2: Within
Section 16: Within

T43S, R19W, SLB&M
Section 16: Within

This event will consist of guided ATV rides of 20 to 30 participants on each ride for the three-day period. Beginning date: March 11, 2010. Expiration date: March 13, 2010. All rides will be on existing roads and routes.

This is not a commercialized event. Therefore, the fee for this right of entry is \$200.00 plus a \$50.00 application fee and \$50.00 processing fee, totaling \$300.00. The expiration date is March 13, 2010. School Fund. Washington and Kane Counties.

This item was submitted by Mr. Lou Brown for record-keeping purposes.

RIGHT OF ENTRY NO. 5424

On February 8, 2010, Ms. Jeanine Kleinke, Trust Lands Technician, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of the Red Rock 4-Wheelers, P.O. Box 1471, Moab, UT 84532, to occupy the following described trust land located within Grand and San Juan Counties to conduct the 44th Annual Jeep Safari:

T21S, R16E, SLB&M

Sec. 36: Within

T22S, R16E, SLB&M

Sec. 2: Within

T22S, R17E, SLB&M

Sec. 32: Within

T22S, R19E, SLB&M

Sec.'s 15, 22, 23, 24: Within

T22S, R20E, SLB&M

Sec. 30: Within

T22S, R22E, SLB&M

Sec. 2: Within

T23S, R17E, SLB&M

Sec. 2: Within

T23S, R20E, SLB&M

Sec.'s 33, 34: Within

T23S, R22E, SLB&M

Sec. 36: Within

T23S, R23E, SLB&M

Sec.'s 16, 32: Within

T23S, R24E, SLB&M

Sec. 36: Within

T24S, R18E, SLB&M

Sec.'s 32, 36: Within

T24S, R19E, SLB&M

Sec.'s 16, 32: Within

T24S, R20E, SLB&M

Sec.'s 2, 13, 14, 27: Within

T24S, R24E, SLB&M

Sec. 2: Within

RIGHT OF ENTRY NO. 5424 (CONTINUED)

T24S, R25E, SLB&M
Sec. 16: Within

T25S, R18E, SLB&M
Sec.'s 16, 36: Within

T25S, R19E, SLB&M
Sec.'s 32, 36: Within

T25S, R20E, SLB&M
Sec.'s 2, 16, 32, 36: Within

T25S, R22E, SLB&M
Sec.'s 32, 36: Within

T25S, R23E, SLB&M
Sec. 32: Within

T26S, R18E, SLB&M
Sec. 2: Within

T26S, R19E, SLB&M
Sec. 2: Within

T26S, R21E, SLB&M
Sec.'s 16, 33: Within

T26S, R23E, SLB&M
Sec. 32: Within

T27S, R22E, SLB&M
Sec.'s 1, 2, 16, 35: Within

T27S, R23E, SLB&M
Sec.'s 7, 8: Within

T39S, R11E, SLB&M
Sec. 36: Within

T40S, R11E, SLB&M
Sec. 2: Within

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. The permittee shall also pay to the Trust Lands Administration the sum of 3% of gross receipts, based on number of participants, number of participant days, and percentage of time spent on trust land, or \$4.00/participant, whichever is greater, within 30 days of permit expiration date. Grand and San Juan Counties. School and USU Funds. Beginning date: March 27, 2010. Expiration date: April 4, 2010.

This item was submitted by Ms. Jeanine Kleinke for record-keeping purposes.

RIGHT OF ENTRY NO. 5425 (APPROVAL)

On February 9, 2009, the School and Institutional Trust Lands Administration received an application from Bill Barrett Corporation, 1099 18th Street, Suite 2300, Denver, Colorado 80202, to occupy the following described trust land located in Carbon County for the purpose of an oil field storage yard (the applicant would like to store a drilling rig on the Prickly Pear 16-15 existing well pad):

Township 12 South, Range 15 East, SLB&M
Section 16: Within SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$

PPU ST 14-16D12-15
Prickly Pear ST 16-15

County: Carbon Acres: 3.90 Fund: School

A cultural resource survey will not be needed as this is an existing well pad. As new ground disturbance will not occur with this right of entry, the Resource Development Coordinating Committee ("RDCC"), the Uintah Basin Association of Governments, and Uintah County were not notified.

The term of this right of entry will be for one year, with a commencement date of February 17, 2010, and an expiration date of February 16, 2011. The fee for this permit is \$2,000.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$2,100.00. This permit replaces ROE 5280, which expires February 17, 2009.

Upon recommendation of Mr. Kurt Higgins, the Director approved Right of Entry No. 5425.

RIGHT OF ENTRY NO. 5411 (NAME CHANGE)

Right of Entry No. 5411 was approved on the Director's Minutes dated January 4, 2010, for a one-year term. The permittee (LDS Church Real Estate Division) has requested that the name and address on the permit be changed to Farmland Reserve, Inc., 139 East South Temple, Suite 600, Salt Lake City, UT 84111. This is being done for insurance purposes. As the permit has not yet been executed, no fee will be charged. Duchesne County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the name change to ROE 5411.

RIGHT OF ENTRY NO. 5193 (RELEASE OF COLLATERAL ASSIGNMENT)

Royal Bank of Scotland plc, as Agent, 101 Park Avenue, Attn: Robert McClorey, New York, NY 10178, submitted for the Agency's approval on February 3, 2010, a Release of Assignment of Collateral affecting ROE 5193, in the name of Milford Wind Corridor Phase I, LLC, 85 Wells Avenue, Suite 305, Newton, Massachusetts 02549. The release of the collateral assignment is effective on February 9, 2010. Millard County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the release of the collateral assignment on ROE 5193.

EASEMENTS

EASEMENT NO. 1524 (APPROVAL)

APPLICANT'S NAME AND ADDRESS:

Raft River Rural Electric Cooperative, Inc.
250 N. Main
P.O. Box 617
Malta, Idaho 83342

LEGAL DESCRIPTION:

Township 12 North, Range 11 West, SLB&M
Section 16: S½SW¼ (within)

A 30 foot wide easement, being 15 feet on either side of the following described centerline:

Commencing at the southwest corner section marker of Section 16, T12N, R11W, SLB&M, thence running along the section line N 00°48'49.74" E for a distance of 659.27 feet to the point of beginning, thence S 89°55'40.91" E for a distance of 1,496.28 feet; thence S 00°00'00" W for a distance of 552.86 feet to the point of ending. Containing 1.41 acres, more or less.

The easement administrator has had this legal description reviewed by the GIS Group.

COUNTY: Box Elder

ACRES: 1.41

FUND: School

PROPOSED ACTION:

The applicant has requested a non-exclusive easement to construct, operate, repair, and maintain a 24.9 kV power line located within T12N, R11W, Sec. 16 in Box Elder County. The power line will be used to service the proposed Wildcat Hills compressor station that will be constructed in conjunction with the Ruby Pipeline project. The compressor station is currently under consideration by the Agency under SULA 1664, and the Ruby Pipeline is being considered under ESMT 1491. The power line will be constructed on 40-foot wooden poles for approximately 1,300 feet outside of the compressor site boundary and will then be buried underground at a minimum depth of 42-inches for the portion of the line to be located within the compressor site boundary. The proposed easement corridor is 2,049.14 feet long and 30 feet wide, containing 1.41 acres. The requested term of the easement is 30 years.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on September 8, 2009. It was submitted for the Agency's review on September 21, 2009, and was accepted by the Director on October 8, 2009.

The proposed easement was sent to the Resource Development Coordinating Committee ("RDCC"), the Bear River Association of Governments, and the Box Elder County Commission for review on September 9, 2009. The following comments were received from the RDCC:

Department of Environmental Quality/Division of Air Quality:

"The proposed project is subject to R307-205-5: Fugitive Dust, of the Utah Air Quality Rules, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than ¼ acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at www.rules.utah.gov/publicat/code/r307/r307.htm."

EASEMENT NO. 1524 (APPROVAL) (CONTINUED)

The project area has been surveyed for cultural resources by Alpine (U-08-A1-0075bspf).

EVALUATION OF FACTS:

The comments submitted through the RDCC have been evaluated and the Agency's response was as follows:

Utah Division of Air Quality:

"The applicant has been informed of the comments submitted by the Utah Division of Air Quality. Furthermore, our easement agreement requires that the Grantee comply with the provisions of all Federal, State, County, and Municipal laws, ordinances, and regulations which are applicable to the subject tract and operations covered by the easement."

The applicant has been notified of the comments received from the RDCC as well as the Agency's response.

The Agency's Archaeology staff has reviewed the cultural resource documents submitted in support of the proposed easement and has granted cultural resource clearance for the project with a finding of "Historic Properties Not Affected."

Upon recommendation of Mr. Chris Fausett, the Director approved the applicant's request for a non-exclusive easement. The term of the easement will be for 30 years beginning March 1, 2010, and expiring February 29, 2040. The application fee of \$750.00 and the easement rental assessment of \$1,490.28 have been submitted. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00.

EASEMENT NO. 285-A (ASSIGNMENT)

Garkane Energy Cooperative, Inc., 120 West 300 South, P.O. Box 465, Loa, Utah, 84747, has requested permission to assign 100% of its interest in Easement No. 285-A to PacifiCorp, DBA Rocky Mountain Power, Right of Way Services, 1407 West North Temple, Suite 110, Salt Lake City, Utah, 84116. Easement No. 285-A was issued for an overhead power line for a term of 30 years, with an expiration date of December 31, 2024. All requirements for assignment established pursuant to Rule R850-40-1600 have been satisfied. The required \$250.00 assignment fee has been paid. The expiration date of the easement remains December 31, 2024. Washington County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the assignment of Easement No. 285-A.

SPECIAL USE LEASE AGREEMENTS

SPECIAL USE LEASE AGREEMENT NOS. 1599-A AND 1599-B (CORRECTION OF MINUTES DATED APRIL 6, 2009, AND JUNE 6, 2009)

The Director's Minutes of April 6, 2009, authorized a partial assignment of SULA 1599, which assignment created two leases (SULA 1599-A and SULA 1599-B) and segregated the lands by county; SULA 1599-A containing the lands within Beaver County, and SULA 1599-B containing the lands within Millard County. This minute entry was corrected on June 6, 2009, to show the correct names of the lessees.

Land within Section 2 of Township 26 South, Range 10 West, SLB&M, was divided between the two new leases because the county boundary split the parcel. The minutes showed the following legal descriptions for this section:

SULA 1599-A:

Parcel 4-A:

Township 26 South, Range 10 West, SLB&M Beaver County
Section 2: Part of SW $\frac{1}{4}$ SW $\frac{1}{4}$ (18.54 acres); Part of SE $\frac{1}{4}$ SW $\frac{1}{4}$ (18.54 acres); Part of SW $\frac{1}{4}$ SE $\frac{1}{4}$ (18.54 acres); Part of SE $\frac{1}{4}$ SE $\frac{1}{4}$ (18.54 acres)

SULA 1599-B:

Parcel 4-B:

Township 26 South, Range 10 West, SLB&M Millard County
Section 2: N $\frac{1}{2}$ S $\frac{1}{2}$, Part of SW $\frac{1}{4}$ SW $\frac{1}{4}$ (21.46 acres); Part of SE $\frac{1}{4}$ SW $\frac{1}{4}$ (21.46 acres); Part of SW $\frac{1}{4}$ SE $\frac{1}{4}$ (21.46 acres); Part of SE $\frac{1}{4}$ SE $\frac{1}{4}$ (21.46 acres)

Because the lessee intended to keep the land in Section 2 as a single parcel within the Millard County lease (SULA 1599-B), the Minutes of April 6, 2009, and June 6, 2009, should be corrected to show the following lands in the respective leases:

SULA 1599-A:

PARCEL 1:

Township 26 South, Range 9 West, SLB&M Beaver County
Section 32: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ 200.00 acres

PARCEL 2:

Township 26 South, Range 10 West, SLB&M Beaver County
Section 36: N $\frac{1}{2}$ 320.00 acres

PARCEL 3:

Township 26 South, Range 10 West, SLB&M Beaver County
Section 9: E $\frac{1}{2}$ NE $\frac{1}{4}$ 80.00 acres

SPECIAL USE LEASE AGREEMENT NOS. 1599-A AND 1599-B (CORRECTION OF MINUTES DATED APRIL 6, 2009, AND JUNE 6, 2009) (CONTINUED)

SULA 1599-B:

PARCEL 4:

Township 26 South, Range 10 West, SLB&M
Section 2: N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$

Beaver & Millard Counties
480.00 acres

PARCEL 5:

Township 25 South, Range 10 West, SLB&M
Section 36: E $\frac{1}{2}$

Millard County
320.00 acres

PARCEL 6:

Township 25 South, Range 10 West, SLB&M
Section 26: W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$

Millard County
240.00 acres

PARCEL 7:

Township 25 South, Range 10 West, SLB&M
Section 27: E $\frac{1}{2}$ SE $\frac{1}{4}$

Millard County
80.00 acres

These descriptions have been reviewed by the GIS Group.

SULA 1599-A was issued correctly; however, SULA 1599-B will need to be amended as it contains errors in the legal description (an amendment will be submitted on future minutes). Agency land records show the description as originally set forth in the April 6, 2009, and June 6, 2009, Director's Minutes, and should be corrected.

Upon recommendation of Ms. Diane Durrant, the Director approved the correction of Minutes dated April 6, 2009, and June 6, 2009.

SALES**CERTIFICATE OF SALE NO. 26367; PRE SALE NO. 8219 (FORFEITURE)**

The following property was purchased by Alliance Ventures, L.L.C. on March 24, 2006, under Certificate of Sale No. 26367 (Pre Sale No. 8219):

Township 31 South, Range 3 West, SLB&M
Section 16: All

Garfield County
School Fund

Containing 640.00 acres, more or less

The purchaser failed to make the annual payment due on April 1, 2008, and was notified by certified mail that the certificate was in default. The certified mailing provided opportunity for the default to be cured within the timeframe allowed by statute, which timeframe expired on May 12, 2008. Payment was not received; therefore, the certificate of sale was canceled for non-payment effective May 12, 2008 (see the Director's Minutes of August 1, 2008), and the Trust Lands Administration declared the property forfeited. The principle balance remaining at the time of forfeiture was \$383,430.07.

Notice of Forfeiture, dated January 27, 2010, was filed with Garfield County on February 2, 2010, as Entry No. 2256115 in Book 447, Pages 587-588. A Quit Claim Deed from Alliance Ventures, L.L.C., dated May 9, 2006, and given the number of 1476 for Agency record-keeping purposes, was also filed as Entry No. 256116 in Book 447, Pages 589-590.

This item was submitted by Ms. Diane Durrant for record-keeping purposes.

ISSUANCE OF PATENTS

Patents have been issued for the following paid certificates of sale. The lease administrator has had these legal descriptions reviewed by the GIS Group. Records should be noted.

PRE SALE NO.: 7913

CERTIFICATE OF SALE NO.: 25736

SALE DATE: October 10, 2003

PATENT NO.: 20164

PATENT DATE: January 25, 2010

Certificate of Sale No. 25736 was issued to John S. Kay and Holly J. Kay. John and Holly Kay assigned their interest in the property to CR Ranch, LLC, on January 28, 2009. The assignment was approved and appeared on the Director's Minutes of April 20, 2009.

ISSUED TO:

CR Ranch, LLC
P.O. Box 247
Randolph, UT 84064

LEGAL DESCRIPTION:

Township 11 North, Range 6 East, SLB&M
Section 36: N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

ACRES: 320.00, m/l

COUNTY: Rich

FUND: School

ISSUANCE OF PATENTS (CONTINUED)

PRE SALE NO.: 8320-D
CERTIFICATE OF SALE NO.: 26449
SALE DATE: October 12, 2007
PATENT NO.: 20161
PATENT DATE: January 25, 2010

ISSUED TO:

Bradley R. Caldwell
Rebecca L. Caldwell
1445 South 100 West
Orem Utah 84058

LEGAL DESCRIPTION:

Township 30 South, Range 2 West, SLB&M
Section 2: W $\frac{1}{2}$ SW $\frac{1}{4}$

ACRES: 80.00, m/1

COUNTY: Piute

FUND: School

This item was submitted by Ms. Carney for record-keeping purposes.

TIMBER SALES

TIMBER SALE NO. 800 (CLOSEOUT AND BOND RELEASE)

TA 800 (Timberlane Timber Sale), in the name of High Country Forest Products, c/o Jim Matson, 135 W. Kanab Creek Dr., Kanab, Utah 84741, has been inspected and the operator has been determined to have satisfactorily completed all contract requirements. All payments and ticket books have been submitted. Duchesne County. School Fund.

Upon recommendation of Mr. Robison, TA 800 (Timberlane Timber Sale) is hereby closed-out and all bonds associated with this sale will be released.

DEVELOPMENT ACTIONS

TERMINATION AND RELINQUISHMENT OF DEVELOPMENT LEASE AGREEMENT NO. 766 - OLD COURSE DEVELOPMENT, LLC

THE ORIGINAL DEVELOPMENT AGREEMENT WAS REPORTED IN THE DIRECTOR'S MINUTES OF DECEMBER 21, 2007.

AGREEMENT NO.: 766
PROJECT: Sienna Hills Parcel 4
PROJECT MANAGER: Aaron Langston
PROJECT CODE: MPI13 001 00 004
COUNTY: Washington
FUND: School
DATE OF LEASE AGREEMENT: September 8, 2006
DATE OF TERMINATION AGREEMENT: February 2, 2010

LESSEE:
OLD COURSE DEVELOPMENT, INC.
a Utah domestic corporation
144 West Brigham Road, Suite D-1
St. George, Utah 84790

DESCRIPTION OF TRANSACTION:
The Development Lease No. 766 (the "Lease") that encompassed 101.09 acres of trust lands, described below, was for the purpose of development and sale of subdivided, improved residential lots. The Lease was amended effective May 1, 2008, to extend the Development Schedule, as the term was described in the Lease. However, effective February 2, 2010, the Trust Lands Administration (the "Trust") desired to terminate the Lease, and the Lessee desired to relinquish it as amended. Both parties to the Lease agreed that the Termination Agreement will be recorded in the Office of the Washington County Recorder along with a Termination of the Declaration of Covenants Regarding Development, which had been entered into for the property pursuant to the Lease.

ACCOUNTING:
The Lessee acknowledged and agreed that all payments made pursuant to the Lease by the Lessee including, but not limited to, any rental payments, extension fees, penalties, interest, and reimbursements for costs are forfeited to the Trust as liquidated and agreed damages.

LEGAL DESCRIPTION:
Township 42 South, Range 14 West, SLB&M
Sections 7 and 18:

Contains 11.13 acres, more or less.

and

Township 42 South, Range 15 West, SLB&M
Sections 12 and 13:

Contains 89.96 acres, more or less.

TERMINATION AND RELINQUISHMENT OF DEVELOPMENT LEASE AGREEMENT NO. 766 - OLD COURSE DEVELOPMENT, LLC (CONTINUED)

Beginning at a point N 89°14'37"W 1134.34 feet along the Section Line and N 0°45'23"E 0.40 feet from the Southeast corner of Section 12, Township 42 South, Range 15 West, Salt Lake Base and Meridian, and running thence N 7°33'39"E 65.30 feet to the point of a 20.00 foot radius curve to the right; thence Northeasterly 14.96 feet along the arc of said curve through a central angle of 42°51'08" to the point of a 12.00 foot radius reverse curve to the left; thence Northeasterly 10.53 feet along the arc of said curve through a central angle of 50°17'55" to the point of tangency; thence N 0°06'52"E 10.67 feet to the point of a 50.00 foot radius curve to the right; thence Northeasterly 35.41 feet along the arc of said curve through a central angle of 40°34'35" to the point of a 95.00 foot radius reverse curve to the left; thence Northeasterly 118.63 feet along the arc of said curve through a central angle of 71°32'56" to the point of tangency; thence N 30°51'29"W 30.80 feet; thence N 44°45'09"W 65.36 feet; thence N 52°05'37"W 176.05 feet to the point of an 80.00 foot radius curve to the left; thence Northwesterly 36.12 feet along the arc of said curve through a central angle of 25°51'56" to the point of tangency; thence N 77°57'33"W 81.45 feet to the point of a 140.00 foot radius curve to the right; thence Northwesterly 68.54 feet along the arc of said curve through a central angle of 28°02'57" to the point of tangency; thence N 49°54'36"W 50.83 feet more or less to a point on the Southeasterly right-of-way line of "Grapevine Crossing", a proposed 80.00 foot wide public street, said point being on a 540.00 foot, non-tangent radius curve to the left, the radius point bears N 67°09'57"W; thence Northeasterly 66.93 feet along the arc of said curve and said right-of-way line through a central angle of 7°06'07" to the point of a 460.00 foot radius reverse curve to the right; thence Northeasterly 268.39 feet along the arc of said curve and said right-of-way line through a central angle of 33°25'46" to the point of a 1040.00 foot radius reverse curve to the left; thence Northeasterly 316.26 feet along the arc of said curve and said right-of-way line through a central angle of 17°25'25" to the point of a 660.00 foot radius reverse curve to the right; thence Northeasterly 757.93 feet along the arc of said curve and said right-of-way line through a central angle of 65°47'49"; thence leaving said right-of-way line S 77°51'14"E 106.12 feet; thence S 86°36'54"E 459.11 feet; thence S 29°08'33"E 92.61 feet; thence S 10°03'33"E 404.40 feet; thence S 1°34'02"W 207.92 feet; thence S 23°18'36"W 162.80 feet; thence S 15°43'38"E 168.06 feet; thence S 5°14'33"W 589.52 feet; thence S 14°16'37"E 286.26 feet; thence S 23°51'59"E 124.73 feet; thence S 17°59'21"E 211.75 feet; thence S 27°20'24"E 7.50 feet; thence S 40°47'36"W 128.63 feet; thence S 58°45'06"W 358.17 feet; thence S 20°31'33"W 228.13 feet; thence S 13°45'21"W 229.74 feet; thence S 60°50'40"W 419.14 feet; thence S 54°05'37"W 160.04 feet; thence S 38°17'37"E 87.85 feet; thence S 29°16'57"W 208.66 feet; thence S 70°32'50"W 108.63 feet; thence S 27°12'38"E 155.85 feet; thence S 8°25'06"W 98.96 feet; thence S 62°30'49"W 237.52 feet; thence N 43°22'21"W 295.40 feet; thence N 29°59'06"W 97.15 feet; thence N 19°21'06"W 98.59 feet; thence N 30°12'26"W 109.05 feet; thence N 2°11'36"W 70.00 feet; thence N 3°33'09"E 135.66 feet to the point of a 50.00 foot radius curve to the right; thence Northeasterly 43.87 feet along the arc of said curve through a central angle 50°16'11" to the point of tangency; thence N 53°49'20"E 28.90 feet to the point of a 15.00 foot radius curve to the left; thence Northeasterly 24.70 feet along the arc of said curve through a central angle of 94°21'12" to the point of tangency; thence N 40°31'53"W 55.47 feet to the point of a 30.00 foot radius curve to the right; thence Northwesterly 38.03 feet along the arc of said curve through a central angle of 72°37'44" to the point of a 237.00 foot radius reverse curve to the left; thence Northeasterly 123.20 feet along the arc of said curve through a central angle of 29°47'02" to the point of tangency; thence N 2°18'49"E 231.71 feet; thence N 18°59'03"E 206.26 feet; thence N 28°06'33"E 73.56 feet to the point of a 100.00 foot radius curve to the left; thence Northeasterly 54.08 feet along the arc of said curve through a central angle of 30°59'02" to the point of tangency; thence N 2°52'29"W 198.08 feet; thence N 9°44'25"W 109.71 feet to the point of a 32.00 foot radius curve to the right; thence Northeasterly 37.10 feet along the arc of said curve through a central angle of 66° 25'32" to the point of tangency; thence N 56°41'07"E 40.62 feet to the point of a 50.00 foot radius curve to the left; thence Northeasterly 79.93 feet along the arc of said curve through a central angle of 91°35'33" to the point of a 100.00 foot radius reverse curve to the right; thence Northwesterly 95.23 feet along the arc of said curve through a central angle of 54°33'43" to the point of tangency; thence N 19°39'16"E 91.43 feet to the point of a 15.00 foot radius curve to the left; thence Northwesterly 18.32 feet along the arc of said curve through a central angle of 69°57'30" to the point

TERMINATION AND RELINQUISHMENT OF DEVELOPMENT LEASE AGREEMENT NO. 766 - OLD COURSE DEVELOPMENT, LLC (CONTINUED)

of a 15.00 foot radius reverse curve to the right; thence Northeasterly 39.60 feet along the arc of said curve through a central angle of 151°16'25" to the point of a 20.00 foot radius reverse curve to the left; thence Northeasterly 40.81 feet along the arc of said curve through a central angle of 116°55'16" to the point of tangency; thence N 15°57'05"W 44.59 feet to the point of a 20.00 foot radius curve to the right; thence Northeasterly 29.18 feet along the arc of said curve through a central angle of 83°36'06" to the point of tangency; thence North 67°39'01"E 44.20 feet to the point of a 15.00 foot radius curve to the left; thence Northeasterly 33.08 feet along the arc of said curve through a central angle of 126°21'56" to the point of tangency; thence N 58°42'55"W 78.78 feet to the point of a 50.00 foot radius curve to the right; thence Northwesterly 35.53 feet along the arc of said curve through a central angle of 40°42'41" to the point of tangency; thence N 18°00'14"W 46.77 feet to the point of a 75.00 foot radius curve to the right; thence Northeasterly 69.17 feet along the arc of said curve through a central angle of 52°50'38" to the point of a 150.00 foot radius reverse curve to the left; thence Northeasterly 71.42 feet along the arc of said curve through a central angle of 27°16'45" to the point of beginning.

Contains 101.09 total acres, more or less.

This legal description has been reviewed by the GIS Group.

TOTAL NUMBER OF ACRES BY COUNTY: 101.09 acres - Washington County

TOTAL NUMBER OF ACRES BY FUND: 101.09 acres - School

MINERAL LEASES GIVEN UP: None

SURFACE LEASES GIVEN UP: DEVL 766

Upon recommendation of Ms. Andrea James, the Director approved the termination and relinquishment of Development Lease Agreement No. 766.

DEVELOPMENT EXCHANGE NO. 347 - DEVL 718 - SRH DEVELOPMENT, LLC

THE FOLLOWING TRANSACTION WAS ORIGINALLY REPORTED IN THE DIRECTOR'S MINUTES OF MARCH 18, 2005. AT THAT TIME, NO EXCHANGE NUMBER WAS ASSIGNED TO THE TRANSACTION; THIS ITEM IS NOW REPORTED AS SHOWN BELOW IN BOLD.

EXCHANGE NO.: 347
EXCHANGE PATENT NO.: 19763
AGREEMENT NO.: 718
PROJECT: Leeds
PROJECT MANAGER: Ray Fowler
PROJECT CODE: LEEDS-01.0
FUND: Miners Hospital
COUNTY: Washington
DATE OF AGREEMENT: November 30, 2004
BOARD REVIEWED: February 10, 2005

EXCHANGE PARTNER:

SRH DEVELOPMENT, LLC
 a Utah Limited Liability Company
 1182 West 120 South Circle
 St. George, Utah 84770

DEVELOPMENT EXCHANGE NO. 347 - DEVL 718 - SRH DEVELOPMENT, LLC (CONTINUED)

DESCRIPTION OF TRANSACTION:

This transaction is an exchange of 1.20 acres of trust lands, described below, for certain culinary water infrastructure improvements. The Trust Lands Administration has determined that it is in their best interest to exchange a certain parcel of land described below for water infrastructure improvements that will be necessary to serve future development on adjacent trust lands in the Leeds area of Washington County, Utah. The trust land parcel is exchanged in lieu of cash payment in a negotiated amount. Excess proceeds from the sale of the lot - proceeds in excess of the negotiated cost share amount and net of the costs of sale - will be remitted to the Trust Lands Administration, whenever such sale shall occur. The transaction was previously reviewed and approved by the Board.

LEGAL DESCRIPTION:

Township 41 South, Range 13 West, SLB&M

Section 6: All of Lot 6 of Silver Reef Highlands as recorded in Book 1664 Page 789, at the Office of the Washington County Recorder.

Contains 1.20 acres more or less

This legal description has been reviewed by the GIS Group.

TOTAL NUMBER OF ACRES BY COUNTY: 1.20 acres - Washington County

TOTAL NUMBER OF ACRES BY FUND: 1.20 acres - Miners Hospital

MINERAL LEASES GIVEN UP: None

SURFACE LEASES GIVEN UP: None

LIST MINERAL RESERVATIONS:

Excepting and reserving to the State all coal and other mineral deposits (other than oil and gas that have been previously reserved to the United States) along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

LIST SURFACE RESERVATIONS:

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

NUMBER OF ACRES BY COUNTY: 1.20 acres - Washington County

NUMBER OF ACRES BY FUND: 1.20 acres - Miners Hospital

This item is submitted by Alexa Wilson for record-keeping purposes.

ACTIONS CONTAINING FEE WAIVERS

SPECIAL USE LEASE AGREEMENT NO. 1019B (LEASE AMENDMENT NO. 1)

SULA 1019B is issued to McIntyre Building Partnership, 358 South 700 East, Suite 345, Salt Lake City, Utah, 84102. This lease is for a commercial office building located in Washington County. The lessee and the Agency propose to amend the lease to correct and update the legal description for the subject lands.

The legal description for the leased land in the original lease is as follows:

Township 42 South, Range 15 West, SLB&M

Section 31:

Beginning at a point on the Northerly Right-of-Way of Riverside Drive, an 80.00 foot public street dedicated with Entry No. 282175, Book 389, Page 233, Washington County Recorder, State of Utah, said point being **South** 934.855 feet and South 89°28'23" West, 648.82 feet along the South Section Line to the South Quarter Corner of Section 31, Township 42 South, Range 15 West, Salt Lake Basin & Meridian; thence South 24°00'00" West 245.68 feet along said Northerly Right-of-Way Line; thence leaving said Right-of-Way North 59°34'59" West 211.38 feet; thence North 23°45'58" East 264.99 feet to a 425.00 foot curve concave to the Northeast; thence Southeasterly 192.67 feet along the arc of said curve through a central angle of 25°58'31"; thence South 66°00'00" East 25.00 feet to the point of beginning. Contains 1.04 acres.

In conducting the previous lease assignment and five-year lease review, the Agency's GIS Group determined that this legal description contained certain typographical errors. The amended lease would contain the following updated and corrected legal description:

Township 42 South, Range 15 West, SLB&M

Section 31:

Beginning at a point on the Northerly Right-of-Way of Riverside Drive, an 80.00 foot public street dedicated with Entry No. 282175, Book 389, Page 233, Washington County Recorder, State of Utah, said point being **South 00°00'00" East** 934.855 feet and South 89°28'23" West, 648.82 feet along the South Section Line to the South Quarter Corner of Section 31, Township 42 South, Range 15 West, Salt Lake Basin & Meridian; thence South 24°00'00" West 245.68 feet along said Northerly Right-of-Way Line; thence leaving said Right-of-Way North 59°34'59" West 211.38 feet; thence North 23°45'58" East 264.99 feet to a 425.00 foot curve concave to the Northeast; **bearing to center North 49°58'30" East**; thence Southeasterly 192.67 feet along the arc of said curve through a central angle of 25°58'31"; thence South 66°00'00" East 25.00 feet to the point of beginning. Contains 1.04 acres.

Acres: 1.04

County: Washington

Fund: Miners Hospital Fund

Because there was no acreage increase, this item is exempt from advertising pursuant to R850-30-1000-1(e).

Although lease amendments are not specifically exempt from the narrative Record of Decision process, it has been determined that this action does not warrant the time and expense necessary to complete a full narrative record.

As this error was Agency-initiated, the \$400.00 amendment fee should be waived.

Upon recommendation of Mr. Bryan Torgerson, the Director approved the issuance of amended SULA 1019B, along with the \$400.00 amendment fee waiver.

SPECIAL USE LEASE AGREEMENT NO. 1360 (LEASE AMENDMENT NO. 2)

SULA 1360 is issued to the Utah National Parks Council aka Boy Scouts of America, 748 North 1340 West, Orem, Utah, 84057. This lease is issued for an overnight outdoor camping area for youth groups during the summer months. The lessee and the Agency propose to amend the lease to correct and update the legal description for the subject lands.

The legal description for the leased land in the original lease is as follows:

Township 25 South, Range 25 East, SLB&M
Section 32:

Beginning at a point South 3390 feet and East 1562 from the Northwest corner of Section 32, Township 25 South, Range 20 East, SLB&M; thence North 35°36'00" East 1523 feet; thence North 53°42'00" East 465 feet; thence South 70°42'00" East 755 feet; thence South 25°06'00" West 1353 feet; thence South 64°30'00" West 581 feet; thence North 76°24'00" West 900 feet to the point of beginning. Containing 41.6 acres, more or less.

In reviewing the subject lease, the agency's GIS Group determined that this legal description contained certain typographical errors. The amended lease would contain the following updated and corrected legal description:

Township 25 South, Range 20 East, SLB&M
Section 32:

Beginning at a point South 3390 feet and East 1562 from the Northwest corner of Section 32, Township 25 South, Range 20 East, SLB&M; thence North 35°36'00" East 1523 feet; thence North 53°42'00" East 465 feet; thence South 70°42'00" East 755 feet; thence South 25°06'00" West 1353 feet; thence South 64°30'00" West 581 feet; thence North 76°24'00" West 900 feet to the point of beginning. Containing 41.6 acres, more or less.

Acres: 41.6 County: Grand Fund: School

Because there was no acreage increase, this item is exempt from advertising pursuant to R850-30-1000-1(e).

Although lease amendments are not specifically exempt from the narrative Record of Decision process, it has been determined that this action does not warrant the time and expense necessary to complete a full narrative record.

The \$400.00 lease fee amendment has been waived because the typographical error was created by Agency staff.

Upon recommendation of Mr. Bryan Torgerson, the Director approved Amendment #2 for SULA 1360, along with the \$400.00 amendment fee waiver.

TRUST ACCOUNTING ACTIONS

CANCELED CERTIFICATE OF SALE

The following certificate of sale was not paid on or before the cancellation date of 11/12/2009. Arrangements were made and an extension fee was paid to extend the due date for this lease to 2/1/2010. Payment has not been received.

<u>CERT #</u>	<u>LESSEE NAME</u>	<u>BENE</u>	<u>COUNTY</u>	<u>TYPE</u>
C 25696	Albritton, Jacquelyn	SCH	KANE	DEVL

Upon recommendation of Mr. Gritzmacher, Budget Manager, the Director approved the cancellation of the above-listed certificate of sale for non-payment.

CANCELED SPECIAL USE LEASE AGREEMENT

The following special use lease agreement was not paid on or before the cancellation date of 11/12/2009. A certified notice was mailed.

<u>LEASE #</u>	<u>LESSEE NAME</u>	<u>BENE</u>	<u>COUNTY</u>	<u>TYPE</u>
SULA 1059	May, Debra J.	SCH	GARF	RES

Upon recommendation of Mr. Gritzmacher, Budget Manager, the Director approved the cancellation of the above-listed special use lease agreement for non-payment.

INTEREST RATES

Following are the current and past year prime rates:

CURRENT YEAR:	3.25%
ONE YEAR AGO:	3.25%